

Notice of Allowability

Application No.

10/087,595

Examiner

Eric M Williams

Applicant(s)

NAGASAKA ET AL.

Art Unit

3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 03/19/2004.
2. ☒ The allowed claim(s) is/are 8 and 10.
3. ☒ The drawings filed on 13 June 2002 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 05/17/2004.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. The after final amendment filed 03/19/2004 has been entered.

EXAMINER'S AMENDMENT

2. An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on 05/17/2004, Curtis Herbert requested an extension of time for 2 MONTH(S) and authorized the Director to charge Deposit Account No. 16-0631 the required fee of \$220.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

3. The application has been amended as follows:

- 1.) In claim 8 line 16, the word "is" has been deleted and the phrase – can only be – has been added.
- 2.) In claim 8 line 16, the word "only" was deleted.
- 3.) In claim 10 line 16, the word "is" has been deleted and the phrase – can only be – has been inserted.
- 4.) In claim 10 line 16, the word "only" has been deleted.
- 5.) Claims 1-7 and 12-18 have been canceled.

Reasons for Allowance

3. Claims 8 and 10 are allowed.

4. The following is an examiner's statement of reasons for allowance:

With respect to claim 8, the available prior art does not anticipate nor render obvious a parking lock state releasing apparatus for a vehicle with a transmission control device, wherein the transmission control device has a shifting body and detects an operating state of the shifting body, wherein the transmission control device shifts a connecting state of a transmission based on the detection result, the apparatus comprising a parking lock member, a power transmitting member wherein the power transmitting member has a proximal end connected to the parking lock member of the transmission and a distal end connectable to a movable member provided in the vehicle, a switch that connects the movable member to the power transmitting member when manipulated, wherein operation force of the movable member is amplified by a lever effect when the movable member is connected to the power transmitting member by the switch and the movable member is operated, the power transmitting member is driven by the amplified force, and the parking lock state of the transmission is changed to the release state by the power transmitting member, wherein the switch can only be manipulated when normal functioning of the transmission control device is hampered.

With respect to claim 10, the available prior art does not anticipate nor render obvious a parking lock state releasing apparatus for a vehicle with a transmission control device, wherein the transmission control device has a shifting body and detects an operating state of the shifting body, wherein the transmission control device shifts a

connecting state of a transmission based on the detection result, the apparatus comprising a parking lock member, a power transmitting member wherein the power transmitting member has a proximal end connected to the parking lock member of the transmission and a distal end connectable to a movable member provided in the vehicle, a switch that connects the movable member to the power transmitting member when manipulated, wherein the power transmitting member is driven in response to operation of the movable member when the movable member is connected to the power transmitting member by the switch, and the parking lock state of the transmission is changed to the release state in accordance with the driving of the power transmitting member, wherein the switch can only be manipulated when normal functioning of the transmission control device is hampered.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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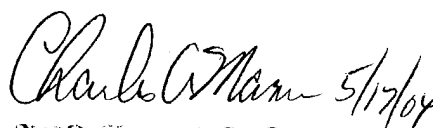
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric M Williams whose telephone number is 703-305-0607. The examiner can normally be reached on Mon. - Fri. from 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A Marmor can be reached on 703-308-0830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EMW




CHARLES A. MARMOR
SUPERVISORY PATENT EXAMINER
ART UNIT 3681